

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES BIERNAN,

Plaintiff,

v.

NURSE 1,

Defendant.

Case No. 1:20-cv-01777-HBK (PC)

ORDER GRANTING PLAINTIFF'S MOTION
FOR EXTENSION OF TIME

JUNE 29, 2023 DEADLINE

(Doc. No. 20)

ORDER GRANTING PLAINTIFF'S MOTION
FOR COPIES OF FORMS

(Doc. No. 21)

Pending before the Court are Plaintiff's motion requesting an extension of time and motion for a duplicate copy of the service documents and courtesy copy of operative complaint. (Doc. Nos. 20, 21). Plaintiff seeks an extension of time to submit completed service forms due to the loss of the forms and his complaint during a cell search. The Court finds good cause and will grant the extension and direct the clerk to resend the service forms ad a copy of the operative complaint. Fed. R. Civ. P. 6(b)(1)(A).

Accordingly, it is **ORDERED**:

1. Plaintiff's motion for an extension of time (Doc. No. 20) is GRANTED.
2. Plaintiff's motion for copies of the service documents and operative complaint (Doc No. 21) is GRANTED.
3. The Clerk of Court shall send Plaintiff (1) USM-285 form, (1) summons, a Notice

1 of Submission of Documents form, an instruction sheet, and a copy of the Complaint filed on
2 December 17, 2020 (Doc. No. 1).

3 4. No later than June 29, 2023, Plaintiff shall deliver to correctional officials for
4 mailing, the attached Notice of Submission of Documents, and the completed Notice to the Court
5 with the following documents:

- 6 a. One (1) completed summons for Nurse 1;
7 b. One (1) completed USM-285 form for Nurse 1; and
8 c. Two (2) copies of the endorsed Complaint filed on December 17, 2020.

9 5. Plaintiff need not attempt service on the Defendant and need not request waiver of
10 service. Upon receipt of the above-described documents, the Court will direct the United States
11 Marshal to serve the Defendant under Federal Rules of Civil Procedure 4 without prepayment of
12 costs.

13 6. If Plaintiff fails to timely comply with this Order, the Court may dismiss this
14 action for Plaintiff's failure to comply with a court order and prosecute this action.

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16 Dated: May 30, 2023



17 HELENA M. BARCH-KUCHTA
18 UNITED STATES MAGISTRATE JUDGE
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